

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 2 of 18

Amendments to the Claim

This listing of claims replaces all prior versions, and listings, of claims in the above-identified application:

1-33. **(Cancelled)**

34. **(Currently Amended)** A method for inducing immunity in a bird against selected immunogen comprising:

injecting a biocompatible implant *in ovo*, wherein the biocompatible implant comprises the selected immunogen and a biocompatible matrix material, wherein the implant provides for sustained release of the immunogen at least until a time when maternal antibodies of the bird to the immunogen are sufficiently reduced so that the bird is capable of mounting an immune response to the immunogen, wherein the immunogen comprises a siderophore receptor protein from a gram-negative bacterium.

35. **(Original)** The method according to claim 34, wherein the implant is injected during the fourth quarter of incubation of an egg.

36. **(Original)** The method according to claim 34, wherein the implant is injected at about 15-28 days of incubation of an egg.

37. **(Original)** The method according to claim 34, wherein the bird is selected from the group consisting of turkey, chicken, duck, goose, ostrich and pheasant.

38. **(Original)** The method according to claim 34, wherein the bird is a turkey and the implant is injected at about 25-27 days of incubation of an egg.

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 3 of 18

39. **(Original)** The method according to claim 34, wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching.

40. **(Original)** The method according to claim 34, wherein the implant provides for sustained release of the immunogen for about 1-60 days post-hatching.

41. **(Original)** The method according to claim 34, wherein the implant provides for sustained release of the immunogen for about 1-35 days post-hatching.

42. **(Original)** The method according to claim 34, wherein the implant is injected at about 25-27 days of incubation of an egg and wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching of the egg.

43. **(Original)** The method according to claim 34, further comprising administering a second dose of the immunogen at 3-12 weeks post hatching to stimulate a secondary immune response.

44. **(Original)** The method according to claim 34, wherein the bird is a chicken and the implant is injected at about day 17 to 19 of incubation of an egg.

45. **(Withdrawn)** A method for inducing immunity in a bird against selected immunogen comprising:

injecting a biocompatible implant *in ovo*, wherein the biocompatible implant comprises the selected immunogen and a biocompatible matrix material, wherein the implant provides for sustained release of the immunogen until a time when maternal antibodies of the bird to the immunogen are sufficiently reduced so that the bird is capable of mounting an immune response to the immunogen, wherein the implant further comprises an adjuvant.

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 4 of 18

46. (Withdrawn) The method according to claim 45, wherein the implant is injected during the fourth quarter of incubation of an egg.
47. (Withdrawn) The method according to claim 45, wherein the implant is injected at about 15-28 days of incubation of an egg.
48. (Withdrawn) The method according to claim 45, wherein the bird is selected from the group consisting of turkey, chicken, duck, goose, ostrich and pheasant.
49. (Withdrawn) The method according to claim 45, wherein the bird is a turkey and the implant is injected at about 25-27 days of incubation of an egg.
50. (Withdrawn) The method according to claim 45, wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching.
51. (Withdrawn) The method according to claim 45, wherein the implant provides for sustained release of the immunogen for about 1-60 days post-hatching.
52. (Withdrawn) The method according to claim 45, wherein the implant provides for sustained release of the immunogen for about 1-35 days post-hatching.
53. (Withdrawn) The method according to claim 45, wherein the implant is injected at about 25-27 days of incubation of an egg and wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching of the egg.
54. (Withdrawn) The method according to claim 45, further comprising administering a second dose of the immunogen at 3-12 weeks post hatching to stimulate a secondary immune response.

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 5 of 18

55. **(Withdrawn)** The method according to claim 45, wherein the bird is a chicken and the implant is injected at about day 17 to 19 of incubation of an egg.

56. **(Withdrawn)** A method for inducing immunity in a bird against a selected immunogen comprising:

injecting a biocompatible implant *in ovo*, wherein the biocompatible implant comprises the selected immunogen and a biocompatible matrix material, wherein the implant provides for sustained and delayed release of the immunogen until a time when maternal antibodies of the bird to the immunogen are sufficiently reduced so that the bird is capable of mounting an immune response to the immunogen, wherein the immunogen comprises a siderophore receptor protein from a gram-negative bacterium.

57. **(Withdrawn)** The method according to claim 56, wherein the implant is injected during the fourth quarter of incubation of an egg.

58. **(Withdrawn)** The method according to claim 56, wherein the implant is injected at about 15-28 days of incubation of an egg.

59. **(Withdrawn)** The method according to claim 56, wherein the bird is selected from the group consisting of turkey, chicken, duck, goose, ostrich and pheasant.

60. **(Withdrawn)** The method according to claim 56, wherein the bird is a turkey and the implant is injected at about 25-27 days of incubation of an egg.

61. **(Withdrawn)** The method according to claim 56, wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching.

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 6 of 18

62. **(Withdrawn)** The method according to claim 56, wherein the implant provides for sustained release of the immunogen for about 1-60 days post-hatching.

63. **(Withdrawn)** The method according to claim 56, wherein the implant provides for sustained release of the immunogen for about 1-35 days post-hatching.

64. **(Withdrawn)** The method according to claim 56, wherein the implant is injected at about 25-27 days of incubation of an egg and wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching of the egg.

65. **(Withdrawn)** The method according to claim 56, wherein the bird is a chicken and the implant is injected at about day 17 to 19 of incubation of an egg.

66. **(Withdrawn)** The method according to claim 56, further comprising administering a second dose of the immunogen at 3-12 weeks post hatching to stimulate a secondary immune response.

67. **(Previously Presented)** The method of claim 34, wherein the implant further provides for delayed release.

68. **(Previously Presented)** The method of claim 34, wherein the immunogen further comprises a porin protein.

69. **(Previously Presented)** A method for inducing immunity in a bird against selected immunogen comprising:

injecting a biocompatible implant *in ovo*, wherein the biocompatible implant comprises the selected immunogen and a biocompatible matrix material, wherein the implant provides for sustained release of the immunogen until a time when maternal antibodies of

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 7 of 18

the bird to the immunogen are sufficiently reduced so that the bird is capable of mounting an immune response to the immunogen, wherein the immunogen comprises a siderophore receptor protein from a bacterium.

70. **(Withdrawn)** A method for inducing immunity in a bird against selected immunogen comprising:

injecting a biocompatible implant *in ovo*, wherein the biocompatible implant comprises the selected immunogen and a biocompatible matrix material, wherein the implant provides for sustained release of the immunogen until a time when maternal antibodies of the bird to the immunogen are sufficiently reduced so that the bird is capable of mounting an immune response to the immunogen, wherein the immunogen comprises a siderophore receptor protein from a gram-positive bacterium.

71. **(Currently Amended)** The method of claim [[70]] 69, wherein the implant further provides for delayed release.

72. **(Currently Amended)** The method of claim [[70]] 69, wherein the immunogen further comprises a porin protein.

73. **(Currently Amended)** The method according to claim [[70]] 69, wherein the implant is injected during the fourth quarter of incubation of an egg.

74. **(Currently Amended)** The method according to claim [[70]] 69, wherein the implant is injected at about 15-28 days of incubation of an egg.

75. **(Currently Amended)** The method according to claim [[70]] 69, wherein the bird is selected from the group consisting of turkey, chicken, duck, goose, ostrich and pheasant.

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 8 of 18

76. **(Currently Amended)** The method according to claim [[70]] 69, wherein the bird is a turkey and the implant is injected at about 25-27 days of incubation of an egg.

77. **(Currently Amended)** The method according to claim [[70]] 69, wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching.

78. **(Currently Amended)** The method according to claim [[70]] 69, wherein the implant provides for sustained release of the immunogen for about 1-60 days post-hatching.

79. **(Currently Amended)** The method according to claim [[70]] 69, wherein the implant provides for sustained release of the immunogen for about 1-35 days post-hatching.

80. **(Currently Amended)** The method according to claim [[70]] 69, wherein the implant is injected at about 25-27 days of incubation of an egg and wherein the implant provides for sustained release of the immunogen for about 1-90 days post-hatching of the egg.

81. **(Currently Amended)** The method according to claim [[70]] 69, further comprising administering a second dose of the immunogen at 3-12 weeks post hatching to stimulate a secondary immune response.

82. **(Currently Amended)** The method according to claim [[70]] 69, wherein the bird is a chicken and the implant is injected at about day 17 to 19 of incubation of an egg.

83. **(New)** The method according to claim 34, wherein the bird is capable of mounting an immune response to the immunogen because maternal antibodies of the bird to the immunogen are sufficiently reduced.

Amendment and Response

Serial No.: 10/749,602

Confirmation No.: 8548

Filed: 31 December 2003

For: IN OVO DELIVERY OF AN IMMUNOGEN CONTAINING IMPLANT

Page 9 of 18

84. (New) A method for inducing immunity in a bird against selected immunogen comprising:

injecting a biocompatible implant *in ovo*, wherein the biocompatible implant comprises the selected immunogen and a biocompatible matrix material, wherein the implant provides for sustained release of the immunogen at least until the bird is capable of mounting an immune response to the immunogen, wherein the immunogen comprises a siderophore receptor protein from a bacterium.